



Interpreter Commission Meeting
Friday, December 8, 2017
AOC SeaTac Office Building
18000 International Blvd, Seattle, WA 98188

MEETING MINUTES

Members Present:

Justice Steven González
Judge Andrea Beall
Francis Adewale
Eileen Farley
Maria Luisa Gracia Camón
Thea Jennings
Lynne Lumsden
Dirk Marler
Linda Noble
Fona Sugg
Elisa Young
Alma Zuniga

Members By Phone:

Judge Teresa Doyle
Judge Laura Bradley

Members Absent:

Katrin Johnson
LaTricia Kinlow

AOC Staff:

Cynthia Delostrinos
Robert Lichtenberg
James Wells
Jeanne Englert
Misty Butler

Guests:

Estella Castro
Dulce Bustamante
David Bradley
P. Diana Schneider
Montes de Oca Ricks
Milena Calderari-
Waldron
Emma Garkavi

CALL TO ORDER AND INTRODUCTIONS

The meeting was called to order by Justice Steven González at 8:45am.

APPROVAL OF SEPTEMBER 29, 2017 MEETING MINUTES

Minutes were approved without modification.

CHAIR'S REPORT

Community Representative Committee Appointment

- Ms. Young was appointed to the Issues Committee.

BJA Court Funding Task Force Update

- Court interpreting is a priority for the Board for Judicial Administration (BJA).
- There are three co-chairs for the Taskforce: Justice Gonzalez, Judge Andrea Beall, and Judge Downes.
- The taskforce is focusing on funding priorities for interpreter services, including the reimbursement program.
- A survey was recently sent out to courts across the state to identify funding objectives and possible proposals.

May Commission Forum Planning

- The Commission holds forums in different parts of the state to hear about local issues affecting language access in the courts.
- The most recent forum was postponed because of the sociopolitical climate resulting in increased enforcement by Immigration and Customs Enforcement (ICE). This issue could be mitigated by choosing another location that is more suitable if the attitudes of law enforcement in the area are researched.
- A forum could be combined with a legal clinic in the area. A church could make a safer location.
- Holding the forum in a region that is represented by one of the legislators considering supporting the interpreter funding could be beneficial to show the need in the legislator's community.
- The meeting could also include an online portion so that people can join without having to attend in person.
- Ms. Camón will work with AOC staff on proposal for the May forum.

COMMITTEE REPORTS

Issues Committee Report

Revision to GR 11.2

- Since the last Commission meeting, definitions and numbering have been added to the revision.
- Suggestions discussed:
 - Remove "registered" from the definition list since the term is only used once in the code and the term could be defined there. Removing "registered" could also help avoid confusion with that type of credentialed interpreter.
 - Simplifying the language regarding "recordings".

The Commission moved to accept the changes to GR11.2. There was one abstention by a commission member who was not present for the full discussion.

MOTION: Changes to GR11.2 made before and during the meeting are approved.

The Commission discussed allowing a public comment period:

- The draft should be put out for interpreter comment before going to the Supreme Court Rules Committee. This will allow the code to be more usable for the audience who will be using it and let them know they have support of the Commission.
- The notification for the comment period could take place after the holidays and last for a couple of weeks. Notification can be sent out on the listserv for credentialed interpreters. The request for comment should ask for specific suggestions and even refer to specific sections of concern.
- The Issues Committee will review the comments to bring back recommendations for the next Commission meeting.

CEU Hours Revision and Removal of Peer Review Requirement

- The policy for granting credit to court credentialed interpreters working on assignments for the Interpreter Commission has been updated. One reason was to restrict the number of credits an interpreter can for class preparation since interpreters could gain almost all of their required credits for a cycle very easily. This was unfair since not all interpreter can get credits by teaching.
- New language was added allowing the program coordinator more flexibility in the number of credits granted.
- The number of credits for certified and registered interpreters was equalized since both groups are now required to earn the same amount of credits in a given reporting cycle.
- Language allowing credits to be granted for translation work was removed for several reasons:
 - Interpreters are usually paid for translation work they do making the granting of credits unnecessary.
 - The Commission's scope does not currently include translation work.
 - Not all interpreters are capable or qualified to do translation work.

Motion: Updates to the CEU Hours policy are unanimously approved.

Motion: Removal of language allowing credits to be provided for translation work is unanimously approved.

Written Exam Results Three-Year Expiration Rule

- Current policy states that the written exam results of candidates in the credentialing process are only valid for three years. Candidates must pass the Oral Exam within 3 years of passing the Written Exam or re-take the written exam to become eligible again.
- This policy was put in place at a time when the fee for test candidates to take the exam was lower and rating each person's oral exam was more costly for the

Interpreter Program. Often interpreters would repeatedly take the oral exam without practicing or taking action to improve their chances of passing resulting in high costs for the Program. The three-year rule was created encourage interpreters to be engaged in the certification process and improve their skills.

- The fees to take the exam and the cost of rating the exam are now almost equal so the Program is no longer losing money.
- Having to re-take the written exam was a burden for some interpreters who had passed the exam previously but were unable to pass the oral exam in the three-year window. Some interpreter, particularly in rare languages, were interested in taking the oral exam again but were hesitant due to the need to retake the written exam.

Motion: Change the length of validity of the written exam results from three years to six years.

The Interpreter Commission asked AOC staff to come back to the Commission with information changing the order of the testing process and moving the orientation to before the written exam.

Education Committee Report

Fall Judicial Conference 2017

- The evaluations from the interpreter session at the Judicial Fall Conference came back very high with a number of compliments for the presenters, especially Robert Lichtenberg.

SCJA/DMCJA Spring Presentation

- The Interpreter Commission would be working with the Gender and Justice Commission and the Minority and Justice Commission for a spring conference session involving domestic violence victims who are immigrants. One interpreter will be on a panel during the session.

LAP Implementation Training

- The Education Committee planned to have several online help modules for courts working on their language access plan. Some possible topics include: Identifying resources, navigating population data, best practices of working with and scheduling interpreters, and the legal authority behind the LAP and why and an LAP must be implemented.

Fall Judicial Conference 2018

- The next Fall Judicial conference will take place in Yakima. The deadline for proposal would be the first week in January.
- One potential topic is cases involving children with parents who are Limited English Proficient (LEP). There can be a bias against LEP parents. Access to

diversion programs for the children may be affected by problems of communication between the court and the parents.

- Interpreters can be affected in these juvenile cases since there is often a great deal of untranslated reading material. Often the education level of the parents can be a factor when interpreters are required to sight-translate many documents.
- Superior courts usually deal with the kinds of juvenile cases being discussed. The fall conference is for judges from all levels, so it may be necessary to make the proposal for a choice session.
- A second possible topic could be how courts work with people who have disabilities that are not directly language related but affect their ability to communicate.

Staff Reports

Commission Manager's Report

Extension of CEU Reporting Deadline

- There will be a three month extension to the deadline for interpreters to complete their compliance requirements for the 2016-2017 cycle.
- The online system where interpreters enter their requirements was updated earlier this year. There had been some delays in the implementation and glitches so there was a concern interpreters might not be able to enter in all of their requirements on time.
- Interpreters have ID badges with expiration dates. All interpreters would be mailed stickers with an updated expiration date for the temporary extension.
- Interpreters and courts would be informed about the extension.

Joint Commissions Education Committee Update

- A committee made up of the chairs of each of the Commission's education committees had been created. The committee has been looking at where there are overlapping issues involving diversity, equity, and inclusion. The Committee is also looking at priorities of each of the Commissions and how those could be included in education sessions of other Commissions.
- Members of the Interpreter Commission are welcome to suggest any topics.

Translated Domestic Violence and Sexual Assault Protection Order Forms

- The Gender and Justice Commission funded the translation DV/SA Protection Order forms into Spanish, Russian, Vietnamese, and Korean.

LAP Approval Criteria

- Language access plans will be reviewed based on criteria found in state law. Concerns that arise during the review can go to the Issues Committee.

AOC Interpreter Program Reports:

Tagalog-specific Course Update

- The class is scheduled to begin early in 2018. The final contracts between had been prepared and are in negotiation between Washington and California.

Oral Exam 2017 Update

- Oral exams were administered in October to 50 candidates. The exams are currently being rated and results will be available at the March meeting.

2018 Exam Testing and Training Schedule

- AOC staff is finalizing the dates for the next written exams which will be given at the end of March or early April.

NEW BUSINESS FOR THE GOOD OF THE ORDER

Member Vacancies

At the March Commission meeting, AOC staff would like to have input from Commission members whose terms would be ending in 2018 regarding possible replacements.

Motions
Changes to GR11.2 made before and during the meeting are approved.
Updates to the CEU Hours policy are unanimously approved.
Removal of language allowing credits to be provided for translation work is unanimously approved.
Change the length of validity of the written exam results from three years to six years.

Action Items
AOC Staff: Look for guide or bench card for trial judges about working with people with disabilities. Provide at future judicial education if appropriate.
AOC Staff: Submit the discussed proposals for the fall judicial conference.
Ms. Young, Ms. Zuniga and AOC Staff: Create Ad hoc committee for creating a Community Outreach Strategy Ms. Young as act as chair.
Ms. Camon – Work with AOC staff coming up with a proposal for the next Interpreter Commission public forum.
AOC Staff: Send out meetings dates for the 2018 meeting to Commission Members.
AOC Staff: Look into moving the orientation to before the written exam.
AOC Staff: Create a schedule for the court interpreter credentialing process for 2018.